

U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE

TIMBER SALE CONTRACT

(Applicable to Sales to be Measured before Felling)

Name of Purchaser

National Forest

Okanogan-Wenatchee

Ranger District

Cle Elum

Region

Pacific N-West

Contract Number

Sale Name

Walter Springs

Award Date

Termination Date

03/31/2017

The parties to this contract are The United States of America, acting through the Forest Service, United States Department of Agriculture, hereinafter called Forest Service, and _____ hereinafter called Purchaser.

Forest Service having advertised a sale at which either (1) Purchaser, whose required bid deposit is now held by Forest Service as an initial deposit, was the successful bidder, or (2) no bids were received and Purchaser having subsequently offered at least the minimum advertised price and made an initial deposit in the same amount as the bid deposit specified in the sale advertisement; and the parties hereto desiring to record their agreement; now therefore,

Unless provided otherwise herein, Forest Service agrees to sell and permit Purchaser to cut and remove Included Timber and Purchaser agrees to purchase, cut, and remove Included Timber.

This contract consists of three Divisions: AT - Specific Conditions, BT - Standard Provisions, and CT - Special Provisions, together with Sale Area Map, Plans and specifications for developments (if any), and such attachments as may be provided for in Division CT. Specific Conditions are numbered and apply to the Part, Section, Subsection, or Item of the Standard Provisions, as indicated hereunder. Other conditions of this contract are stated in Division CT - Special Provisions.

IN WITNESS WHEREOF, the parties hereto have executed this contract as of the award date.

UNITED STATES OF AMERICA

Two Witnesses:^{1/}

(Name)

(Address)

(Name)

(Address)

By: _____
Contracting Officer

(Title)

By: _____^{2/}
(Purchaser)

(Title)

(Business Address)

I, ^{3/} _____, certify that I am the _____
Secretary of the corporation named as Purchaser herein; that _____
who signed this contract on behalf of Purchaser, was then _____
of the corporation; that the contract was duly signed for and in behalf of the corporation by authority of its governing body, and is
within the scope of its corporate powers.

**CORPORATE
SEAL** ^{4/}

INSTRUCTIONS:

- 1/ The signatures and addresses of two witnesses are required if Purchaser is other than a corporation.
- 2/ If Purchaser is a co-partnership, the signatures should be: XYZ Company, by John Doe, a member of the firm. If Purchaser is a corporation, form of signature should be: XYZ Company, by John Doe, President (or other officer or agent) and the seal of the corporation must be impressed or indicated.
- 3/ The certificate must be completed if Purchaser is a corporation.
- 4/ If the corporation has no corporate seal that fact shall be stated, in which case a scroll or adhesive seal shall follow the corporate name.

EXAMPLE 1/	
<p style="text-align: center;"><u>Subcontractor Certification</u> <u>Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion</u></p>	
<p>Timber Sale Name: _____ National Forest: _____</p>	
<p>The prospective subcontractor (participants in lower tier covered transactions) certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this timber sale by any Federal department or agency.</p>	
<p>Where the prospective subcontractor is unable to certify to any of the statements in this certification, such prospective subcontractor shall attach an explanation to this proposal.</p>	
<p>Name of Subcontractor: _____ Business Address: _____ _____</p>	
_____	_____
Date	Signature
<p>1/ It is the Purchaser's responsibility to have subcontractors complete this certification and to maintain a file of completed certifications. This certification does not need to be returned to the Forest Service, except at the written request of the Contracting Officer.</p>	

The following conditions apply to the indicated portions of Division BT - Standard Provisions issued June 2006.

AT1 - Location and Area, applicable to BT1.1

This Sale Area of 1491 acres more or less is located in:
Sections 14, 22, 23, 24, 25, 26 and 36, T18N, R15E, WM, surveyed, Kittitas County, Washington

AT2 - Volume Estimate and Utilization Standards, applicable to BT2.1, BT2.2, BT2.4, and BT6.4

Species	Product	Estimated Quantity *	Unit of Measure	Minimum Specifications				
				Merchantable Tree		Piece Required to be Removed		
				Diameter Breast High (d.b.h.) (inches)	Number of Minimum Pieces per Tree	Length (feet)	Diameter Inside Bark at Small End (inches)	Net Scale in % of Gross Scale
Douglas-fir and Western Larch	Sawtimber	2,590.00	CCF	7.0	1	8	5.0	40
Grand Fir and Other Coniferous Species	Sawtimber	3,693.00	CCF	7.0	1	8	5.0	40
Biomass-All Species	Grn Bio Cv	591.00	CCF	7.0	1	16	5.0	N/A
Timber Subject to Agreement under CT2.11#								
Miscellaneous	Grn Bio Cv	unestimated	CCF	5.0	1	8	2.0	N/A
Total Quantity		6,874.00	CCF					

* Quantities not included here are described in BT2.4.

AT3- Timber Designations, applicable to BT2.3; acres are approximate:

	Number	Acres
Clearcutting Units (BT2.31)		
Specified Road Clearing (BT2.32)		
Overstory Removal Units (BT2.33)		
Understory Removal Units (BT2.34)		
Individual Trees (BT2.35)		497
Incompletely Measured Payment Units (BT2.36)		

AT4 - Timber Payment Rates, applicable to BT3.1 and BT4.0

AT4a - For Species and Products to be Paid for at Rates Escalated under BT3.2

Species	Product	Unit of Measure	Rates per Unit of Measure					Base Index
			Base \$	Advertised \$	Bid Premium \$	Bid (Tentative) \$	Required Deposits Slash Disposal \$	
Douglas-fir and Western Larch	Sawtimber	CCF	3.00	3.00			7.31	199.52
Grand Fir and Other Coniferous Species	Sawtimber	CCF	3.00	3.00			7.31	173.78

AT4b- For Species and Products to be Paid for at Flat Rates

Species	Product	Unit of Measure	Rates per Unit of Measure				
			Base \$	Advertised \$	Bid Premium \$	Bid (Flat) \$	Required Deposits Slash Disposal \$
Biomass-All Species	Grn Bio Cv	CCF	.25	.25			7.31
Timber Subject to Agreement under CT2.11#							
Miscellaneous	Grn Bio Cv	CCF	.25	.25			

For purposes of convenience in collection and bookkeeping, Bid Rates stated in AT4 include payment of deposits for sale area betterment required pursuant to 16 USC 576b. Such deposits are not included as Required Deposits defined hereunder.

AT4c - Schedule of Payment Units

Payment Unit No.	App rox. Acres	Quantity of Species and Products to be Escalated under AT4a			Total Tentative Payment \$	Quantity of Species and Products to be Paid for at Flat Rates under AT4b			Total Flat Rate Payment \$	Total Required Deposits for Slash Disposal \$
01	19	Douglas-fir and Western Larch	Sawtimber	126.00 CCF						3,362.60
		Grand Fir and Other Coniferous Species	Sawtimber	291.00 CCF						
		Total PU Quantity And Value			417.00 CCF	Total PU Quantity And Value			43.00 CCF	
02	11	Douglas-fir and Western Larch	Sawtimber	229.00 CCF						2,580.43
		Grand Fir and Other Coniferous Species	Sawtimber	94.00 CCF						
		Total PU Quantity And Value			323.00 CCF	Total PU Quantity And Value			30.00 CCF	
03	30	Douglas-fir and Western Larch	Sawtimber	442.00 CCF						4,100.91
		Grand Fir and Other Coniferous Species	Sawtimber	101.00 CCF						
		Total PU Quantity And Value			543.00 CCF	Total PU Quantity And Value			18.00 CCF	
04	4	Douglas-fir and Western Larch	Sawtimber	56.00 CCF						533.63
		Grand Fir and Other Coniferous Species	Sawtimber	14.00 CCF						
		Total PU Quantity And Value			70.00 CCF	Total PU Quantity And Value			3.00 CCF	
05	17	Douglas-fir and Western Larch	Sawtimber	110.00 CCF						2,441.54
		Grand Fir and Other Coniferous Species	Sawtimber	172.00 CCF						
		Total PU Quantity And Value			282.00 CCF	Total PU Quantity And Value			52.00 CCF	
06	8	Douglas-fir and Western Larch	Sawtimber	7.00 CCF						687.14
		Grand Fir and Other Coniferous Species	Sawtimber	83.00 CCF						
		Total PU Quantity And Value			90.00 CCF	Total PU Quantity And Value			4.00 CCF	
07	47	Douglas-fir and Western Larch	Sawtimber	241.00 CCF						2,397.68
		Grand Fir and Other Coniferous Species	Sawtimber	82.00 CCF						
		Total PU Quantity And Value			323.00 CCF	Total PU Quantity And Value			5.00 CCF	
08	23	Douglas-fir and Western Larch	Sawtimber	69.00 CCF						1,637.44
		Grand Fir and Other Coniferous Species	Sawtimber	132.00 CCF						
		Total PU Quantity And Value			201.00 CCF	Total PU Quantity And Value			23.00 CCF	

Pay- ment Unit No.	App rox. Acres	Quantity of Species and Products to be Escalated under AT4a				Total Tentative Payment \$	Quantity of Species and Products to be Paid for at Flat Rates under AT4b				Total Flat Rate Payment \$	Total Required Deposits for Slash Disposal \$
09	7	Douglas-fir and Western Larch	Sawtimber	23.00	CCF		Biomass-All Species Grn Bio Cv 5.00 CCF					643.28
		Grand Fir and Other Coniferous Species	Sawtimber	60.00	CCF							
		Total PU Quantity And Value					83.00	CCF	Total PU Quantity And Value			
10	65	Douglas-fir and Western Larch	Sawtimber	354.00	CCF		Biomass-All Species Grn Bio Cv 83.00 CCF					7,514.68
		Grand Fir and Other Coniferous Species	Sawtimber	591.00	CCF							
		Total PU Quantity And Value					945.00	CCF	Total PU Quantity And Value			
11	37	Douglas-fir and Western Larch	Sawtimber	191.00	CCF		Biomass-All Species Grn Bio Cv 58.00 CCF					3,845.06
		Grand Fir and Other Coniferous Species	Sawtimber	277.00	CCF							
		Total PU Quantity And Value					468.00	CCF	Total PU Quantity And Value			
12	98	Douglas-fir and Western Larch	Sawtimber	336.00	CCF		Biomass-All Species Grn Bio Cv 214.00 CCF					11,345.12
		Grand Fir and Other Coniferous Species	Sawtimber	1,002.00	CCF							
		Total PU Quantity And Value					1,338.00	CCF	Total PU Quantity And Value			
13	49	Douglas-fir and Western Larch	Sawtimber	294.00	CCF		Biomass-All Species Grn Bio Cv 19.00 CCF					2,638.91
		Grand Fir and Other Coniferous Species	Sawtimber	48.00	CCF							
		Total PU Quantity And Value					342.00	CCF	Total PU Quantity And Value			
14	28	Douglas-fir and Western Larch	Sawtimber	31.00	CCF		Biomass-All Species Grn Bio Cv 17.00 CCF					2,448.85
		Grand Fir and Other Coniferous Species	Sawtimber	287.00	CCF							
		Total PU Quantity And Value					318.00	CCF	Total PU Quantity And Value			
B1	21	Douglas-fir and Western Larch	Sawtimber	57.00	CCF		Biomass-All Species Grn Bio Cv 3.00 CCF					1,118.43
		Grand Fir and Other Coniferous Species	Sawtimber	93.00	CCF							
		Total PU Quantity And Value					150.00	CCF	Total PU Quantity And Value			
B2	22	Douglas-fir and Western Larch	Sawtimber	6.00	CCF		Biomass-All Species Grn Bio Cv 6.00 CCF					1,922.53
		Grand Fir and Other Coniferous Species	Sawtimber	251.00	CCF							
		Total PU Quantity And Value					257.00	CCF	Total PU Quantity And Value			

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The following definitions are established for the terms used in AT4:

Base Rates are the lowest rates of payment for timber that are authorized by this contract. Base Rates remain constant throughout the life of this contract and are not subject to change by rate redetermination, except for reduction under BT3.31, BT3.32, or BT3.33.

Advertised Rates are the minimum acceptable Bid Rates for timber, exclusive of Required Deposits. These rates are those indicated by appraisal, with a cost allowance made for construction of Specified Roads listed in AT7, but are never less than Base Rates.

Bid Premium Rates are the amounts by which Purchaser's bid is in excess of Advertised Rates. The Bid Premium Rates are constant during this contract, except as provided in BT3.31, BT3.32, and BT3.33.

Bid Rates are the rates bid by Purchaser (exclusive of Required Deposits for slash disposal and road maintenance) and are the sum of Advertised Rates and Bid Premium Rates. Until a rate redetermination becomes effective, the Bid Rate for species and products in AT4a is the Tentative Rate that is subject to quarterly adjustment under BT3.2; for species and products in AT4b, the Bid Rate is the Flat Rate.

Required Deposits are deposits that Purchaser may be required to pay for slash disposal (16 USC 490) and road maintenance (16 USC 537). Required Deposits may be adjusted as part of a rate redetermination or a Contract Term Extension. The table shows only Required Deposits for slash disposal; road maintenance deposits, if any, are given in CT5.32#.

Base Index is the specified average of the lumber or other product selling value index used as the basis for computing adjustment in rates for variance in product selling value, as provided in BT3.2.

AT5 - Indices Used in Quarterly Adjustment, applicable to BT3.2

Species	Index Name and Date
Douglas-fir and Western Larch	WWPA, Inland Douglas Fir-Larch (07-08 Basis), (WWPAC)
Grand Fir and Other Coniferous Species	WWPA, Inland White Fir (Hem-Fir) (07-08 Basis), (WWPAB)

AT6 - High Stumps, applicable to BT6.412

Species	Product	Maximum Stump Height * (inches)
All	All	12

* 12 inches or 1/3 the cut stump diameter, whichever is greater

AT7 - Specified Roads, applicable to BT5.2

Name and Date of Governing Road Specifications: Federal Highway Administration Standard Specifications for Construction of Roads and Bridges on Federal Highway Projects(2003)-english

Project		Design Class	Approx. Length (mi./km.)	Sheet Numbers and Approval Date	Performance Responsibility		
Road No.	Name				Survey	Design	Construction Staking 1/
3111117	BREAKS (R) (segment 0 to 3.53)	Single Lane - 15 mph	3.53 / 5.68	10 08/01/2013	FS	FS	FS BC
3111115	WALTER SPRINGS (R) (segment 0 to 3.17)	Single Lane - 15 mph	3.17 / 5.1	10 08/01/2013	FS	FS	FS BC
3111131	Walter Springs FY13 (R) (segment 0 to .21)	Single Lane - 10 mph	.21 / .34	10 08/01/2013	FS	FS	FS BC

1/ Indicate timing, i.e., before clearing (BC) or after clearing (AC). Applicable to BT5.212.

AT8 - Forest Service Engineering Completion Schedule, applicable to BT5.21

Road No.	Road Name	Type of Work	Completion Date
	NOT APPLICABLE		

AT9 - Fire Precautionary Period, applicable to BT7.2

April 01 to October 31, inclusive

AT10 - Purchaser Responsibility to Furnish Crews and Equipment for:

Initial Fire Suppression, applicable to BT7.3

Within 5 road miles

Fire Suppression Reinforcement, applicable to BT7.312 and BT7.313

Within 100 road miles

AT11 - Purchaser's Obligation per Operations Fire, applicable to BT7.41

Maximum Amount: \$ \$300,000

AT12 - Termination Date, applicable to BT8.2

March 31, 2017

AT13 - Normal Operating Season, applicable to BT6.31, BT6.66, BT8.21 and BT9.3

First Period: June 01 to October 31, inclusive

Second Period: December 15 to February 28, inclusive

AT14 - Performance Bond, applicable to BT9.1

Performance Bond Amount: _____

AT15 - Downpayment, applicable to BT4.211

Downpayment Amount: _____

AT16 - Periodic Payment Amount, applicable to BT4.213

	Periodic Payment Determination Date	Amount
Initial Payment:	October 15, 2016	_____
Additional Payment:	_____	_____

AT17 - Market-Related Contract Term Addition Producer Price Index, applicable to BT8.212

Index Name: Softwood Lumber Index Number: 0811

AT18 - Inapplicable Standard Provisions

The following listed Sections, Subsections, or Items of Division BT - Standard Provisions - are hereby made inapplicable.
(Instructions: List by reference number and title.)

BT4.211	DOWNPAYMENT
BT4.4	PAYMENTS NOT RECEIVED
BT8.212	MARKET-RELATED CONTRACT TERM ADDITION

AT19 - List of Special Provisions

The following listed special provisions are attached to and made a part of this contract as Division CT. Provisions with reference numbers followed by # contain blanks into which data have been entered for this sale. (Instructions: List by reference number, title, and date.)

CT2.11#	TIMBER SUBJECT TO AGREEMENT (06/1972)
CT2.3#	RESERVE TREES (04/2004)
CT2.35# (OPTION 1)	INDIVIDUAL TREE DESIGNATION (06/2010)
CT4.211	DOWNPAYMENT (06/2007)
CT4.212	TEMPORARY REDUCTION OF DOWNPAYMENT (08/2009)
CT4.4	PAYMENTS NOT RECEIVED (08/2012)
CT5.1# (OPTION 1)	TEMPORARY ROAD AND LANDING CONSTRUCTION (06/2008)
CT5.11#	LAND USE AGREEMENTS (07/2001)
CT5.12#	USE OF ROADS BY PURCHASER (06/1999)
CT5.13#	ROAD COMPLETION DATE (04/2004)
CT5.213#	DEPOSIT FOR RECONSTRUCTION ENGINEERING SERVICES (04/2004)
CT5.31#	ROAD MAINTENANCE REQUIREMENTS (07/2001)
CT5.32#	ROAD MAINTENANCE DEPOSIT SCHEDULE (07/2001)
CT6.24#	SITE SPECIFIC SPECIAL PROTECTION MEASURES (04/2004)
CT6.315#	SALE OPERATION SCHEDULE (06/1994)
CT6.32#	PROTECTION OF RESERVE TREES (04/2004)
CT6.405	ALTERNATE REMOVAL OF INCLUDED TIMBER (05/2005)
CT6.41#	SPECIFIC REQUIREMENTS (01/2000)
CT6.42#	YARDING/SKIDDING REQUIREMENTS (06/2010)
CT6.6#	EROSION CONTROL AND SOIL TREATMENT BY THE PURCHASER (07/2001)
CT6.7	SLASH DISPOSAL (06/2008)

CT6.74#	SLASH TREATMENT REQUIREMENTS (02/2002)
CT6.8	MEASURING (08/2000)
CT6.84	ACCOUNTABILITY (06/2006)
CT6.84 (OPTION 1)	USE OF PAINT BY PURCHASER (05/2005)
CT7.1	PLANS (09/2004)
CT7.2	SPECIFIC FIRE PRECAUTIONS (09/2002)
CT7.201	BURNING BY PURCHASER (01/1993)
CT7.22	EMERGENCY FIRE PRECAUTIONS (09/2004)
CT8.13	DISCLAIMER OF EXPRESSED OR IMPLIED WARRANTY (09/2004)
CT8.212	MARKET-RELATED CONTRACT TERM ADDITION (11/2008)
CT8.66# (Option 1)	USE OF TIMBER (04/2004)